

# Golden Horn DAR amendment FAQ

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## Reducing Minimum Lot Size in Rural Residential zones

Q. Can I subdivide my lot if the minimum lot size for Rural Residential (RR) zones is reduced to 2 hectares?

It depends on your lot size. The table below summarizes the impact:

Rural Residential Zone	Number of lots	Subdivision potential	
		Current	Proposed amendment
Smaller than 4 ha	72	No	No
4 ha or larger, smaller than 6 ha	12	No	<b>Yes (1 new parcel/lot)</b>
6 ha or larger	32	Yes (1 new lot/parcel)	<b>Yes (up to 2 new parcels/lot)</b>

Q. How many new RR lots could be created?

There are 12 RR lots that are between 4 hectares and 6 hectares and, 32 lots are 6 hectares or larger. 72 lots are smaller than 4 hectares and will not be affected by the proposed change. (see table above)

## Guest Cabins and additional Dwellings on RR lots

Q. Can I keep my Guest Cabin if the amendment is approved to allow the use of Guest Cabins for permanent residential purposes on RR lots?

Yes. You can keep using the Guest Cabin for temporary overnight accommodation for visitors or the travelling public.

If your lot meets the minimum lot size<sup>1</sup>, existing Guest Cabins can be used as a permanent residence. You will need to apply for a Development Permit (\$25 application fee).

If your lot is smaller than the minimum lot size<sup>1</sup>, you can continue to use it for temporary overnight accommodations.

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<sup>1</sup> may be reduced from 3 hectares to 2 hectares, if the amended is approved

## Q. How do I convert my Guest Cabin to a Dwelling if the amendment is approved to allow the use of Guest Cabins for permanent residential purposes on RR lots?

If your lot meets the minimum lot size<sup>1</sup>, and if you want to use the Guest Cabin for permanent residential purposes, you will need to apply for a Development Permit (\$25 application fee) to change the use to a Dwelling.

## Q. Is there anything else I have to do to use the Guest Cabin as a Dwelling?

Your building has to meet the National Building Code – whether it is built and used as a Guest Cabin or a Dwelling. When you apply for a Development Permit, we will help you make sure your building is built to code.

## Q. Can I build a new Guest Cabin if the amendment is approved to allow the use of Guest Cabins for residential purposes on RR lots?

Yes. In RR zones, if your lot meets the minimum lot size<sup>1</sup> you can build a Dwelling and use it for temporary overnight accommodation (Guest Cabin).

If your RR lot is smaller than the minimum lot size<sup>1</sup>, a Guest Cabin is only allowed to be used for temporary overnight accommodations.

In Rural Agricultural 1 zone, one Guest Cabin is permitted as an Accessory Use.

## Q. Can I build a second Dwelling on my RR lot?

If your lot meets the minimum lot<sup>1</sup>, two Dwellings would be allowed:

- An existing Guest Cabin would be considered as a second Dwelling; or
- If there is no existing Guest Cabin, a new Dwelling can be built.

For lots larger than 5 hectares, a second Dwelling is currently permitted. If you have a Guest Cabin, it could be used as a Dwelling (total of three Dwellings). If there is no Guest Cabin, you can build a third Dwelling.

## Q. Is there enough groundwater in the area to support an increase of wells if there are more Dwellings built in the area? Will my well dry up?

It is difficult to say with certainty about the groundwater/aquifers without a thorough study and testing. Minimum lot size around Whitehorse have been reduced elsewhere before and we are not aware of any issues to the existing well users of these areas.

## Changes to the Minimum Setback in RR-1

**Q. My house is built within 10 metres from the property line in Rural Residential 1 zone. Can I still apply for subdivision if the setback is increased from 3 metres to 10 metres?**

Yes, if your lot meets all the other requirements, you can apply for subdivision if you are not creating a new encroachment into the 10 metre setback.

**Q. My house is built within 10 metres from the property line in Rural Residential 1 zone. Can I make improvements to it if the setback is increased from 3 metres to 10 metres?**

Existing buildings within the new 10 metres setbacks will be considered a legal non-conforming building. As long as you are not increasing encroachment into the 10 metre setback, you can add improvements to your existing building. You are required to obtain Development Permit and/or Building Permit, depending on the structure/improvement.

A new building will have to meet the required minimum setback from the property line.

## Other

**Q. Why is a 2 hectare minimum lot size being considered for residential lots?**

Many existing lots are smaller than 2 hectares, while 38 lots are between 4 and 8 hectares in size. If the minimum lot size was reduced to 2 hectares, many of these larger lots would be able to be subdivided to create additional lots.

Zoning for most Yukon communities was created with a 6 hectare minimum lot size, and many communities have sought amendments to reduce the size to 3 hectares (including Golden Horn, in 2011) or to 2 hectares.

**Q. Why are these amendments being proposed?**

A group of Golden Horn residents conducted a door-to-door petition in 2021, asking residents if they wanted the lot size to be changed. The Land Planning Branch does not accept individual rezoning applications to reduce minimum lot size. Changing minimum lot size requires a community-wide discussion.

This survey will help the Yukon government assess the community support for proposed changes.

**Q. Why is allowing Guest Cabins to be used for permanent residential occupancy being considered?**

Typically, zoning for residential lots in other areas of the Yukon allows one or more additional dwelling units to be built, with no restrictions on long-term tenancy.

**Q. Why is a 10 metre setback in the RR-1 zone being considered?**

When lot subdivision occurs, it may be desirable to ensure that setbacks are large enough to ensure a minimum amount of privacy for all properties, while also considering that with smaller lot sizes, large setbacks can restrict potential building sites.